

REMARKS

Applicant has amended claims 1, 20, 31, 35, and 41; and canceled claims 14, 30, 32, 46, and 48-54. Applicant acknowledges the Examiner's indication that claim 32 is allowable if rewritten in proper form.

The Examiner has rejected claims 1-12, 14-21, 23-26, 29-45, and 47-53 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,063,112 (Sgro); and claims 27, 28, 46, and 54 under 35 U.S.C. § 103(a) as being unpatentable over Sgro. Upon the entering of the above amendments, the independent claims are 1, 20, 35, and 41.

As amended, claims 1 and 41 recite a medical device having an expandable sleeve configured to separate into a plurality of detached portions, and a detached or separated portion having a surface defining an opening. The Examiner has interpreted the perforations of Sgro's sleeve to define lateral openings; but when Sgro's sleeve detaches or separates, no detached or separated portion has a surface defining an opening, as claimed. Therefore, Applicant requests that the rejection be withdrawn.

Claim 20 has been amended to include the features of claim 32, which the Examiner has indicated as allowable. Therefore, claim 20 and its dependent claims should be passed to allowance.

Amended claim 35 recites a method including aligning an opening of an expandable sleeve with an end opening of a body vessel. Sgro does not disclose or suggest a method in which an opening of an expandable sleeve is aligned with an end opening of a body vessel. Therefore, Applicant requests that the rejection be withdrawn.

The Examiner has rejected claims 13 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Sgro in view of U.S. 20020052640 (Bigus). Bigus does not cure the deficiencies of Sgro, as discussed above. As a result, claims 13 and 22, which depend from claims 1 and 20, respectively, are patentable for at least the same reasons discussed above.

Accordingly, for at least the reasons discussed above, Applicant believes the claims are in condition for allowance, which action is requested.


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Serial No. : 10/067,722  
Filed : February 4, 2002  
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Attorney's Docket No.: 10527-391001 / 01-454

Enclosed is a Petition for Extension of Time with the required fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: December 30, 2003



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